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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/585,508	06/01/2000	Robert E. Bou	30566.73US01	5546

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EXAMINER

NGUYEN, LE V

ART UNIT

PAPER NUMBER

2174

DATE MAILED: 10/29/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/585,508

Applicant(s)

BOU ET AL.

Examiner

Le Nguyen

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_ 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Specification*

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Edwards et al. ("Edwards", US 6,459,442 B1).

As per claim 1, Edwards teaches a computer-implemented method for selecting objects comprising:

displaying a two-dimensional viewport of one or more existing objects maintained within a three-dimensional space represented in a computer-implemented graphics system (fig. 29; col. 12, lines 42-44);

obtaining a selection request from a user using a cursor selection device while locating the cursor in the two-dimensional viewport (col. 12; lines 44-46; *the graphics system keeps track of where the cursor is so that users may manipulate objects*);

examining the existing objects to obtain one or more relationships between the existing objects (col. 12, lines 37-40);

creating one or more virtual objects based on the relationships (col. 14, lines 40-43);

creating a selection set comprised of at least one of the existing objects and at least one of the virtual objects based on the relationships (fig. 17; *selection set comprising of existing object 426d, existing object 426e and virtual object 1702*);

determining if the selection request is for an object in the selection set, and if the selection request is for an object in the selection set, selecting all of the objects in the selection set (fig. 17; *'ab' is grouped to become one entity – user clicks on 'a' and 'ab' is selected, user clicks on 'b' and 'ab' is selected*).

As per claim 2, Edwards teaches a computer-implemented method wherein at least two of the existing objects are line segments and at least one of the virtual objects is a connector connecting the two line segments (col.13, lines 15-20).

As per claim 3, Edwards teaches a computer-implemented method wherein the cursor is located between the two line segments when the selection request is obtained (fig. 17, element 426f).

As per claim 4, Edwards teaches a computer-implemented method wherein the relationships are based on a placement of the existing objects (col. 8 lines 30-32).

As per claim 5, Edwards teaches a computer-implemented method wherein the relationships are based on similarities between the existing objects (col. 7, lines 9-11).

As per claim 6, Edwards teaches a computer-implemented method comprising replying to a query using the objects in the selection set (col. 6, lines 34-38; *user's input in the form of freeform strokes is returned in the form of a collection of handwriting style strokes*).

Claims 7 and 13 are similar in scope to claim 1 and are therefore rejected under similar rational.

Claims 8 and 14 are similar in scope to claim 2 and are therefore rejected under similar rational.

Claims 9 and 15 are similar in scope to claim 3 and are therefore rejected under similar rational.

Claims 10 and 16 are similar in scope to claim 4 and are therefore rejected under similar rational.

Claims 11 and 17 are similar in scope to claim 5 and are therefore rejected under similar rational.

Claims 12 and 18 are similar in scope to claim 6 and are therefore rejected under similar rational.

*Conclusion*

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Wang (US 5,511,157) teaches a connection of sliders to 3D objects to allow easy user manipulation and viewing of objects.

Matsuo et al. (US 5,808,604) teach a mechanism conceptual drawing operation display apparatus, transmission apparatus and mechanism conceptual drawing formation apparatus.

Chen et al. (US 5,588,098) teach a method and apparatus for direct manipulation of 3-D objects on computer displays.

Takasu et al. (US 6,320,601) teach information processing in which grouped information is processed either as a group or individually, based on mode.

Arsenault et al. (US 5,894,310) teach intelligent shapes for authoring three-dimensional models.

*Inquires*

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lê Nguyen whose telephone number is (703) 305-7601. The examiner can normally be reached on Monday - Friday from 5:30 am to 2:00 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (703) 308-0640.

The fax numbers for the organization where this application or proceeding is assigned are as follows:

(703) 746-7238 [After Final Communication]

(703) 746-7239 [Official Communication]

Application/Control Number: 09/585,508

Page 6

Art Unit: 2174

(703) 746-7240 [For status inquiries, Draft Communication]

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Lê Nguyen  
Patent Examiner  
October 18, 2002

*Kristine Kincaid*  
**KRISTINE KINCAID**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2100**